

AMENDED

No. 58567

# APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office..... FEB 25 1993  
Returned to applicant for correction..... MAR 19 1993  
Corrected application filed..... MAR 24 1993  
Map filed..... MAR 26 1993

The applicant..... PDQ Food Stores of Nevada, Inc.  
6600 City West Parkway, Ste. 210, of Eden Prairie  
Street and No. or P.O. Box No. City or Town  
Minnesota 53344  
State and Zip Code No.  
hereby make.... application for permission to appropriate the public  
waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a  
copartnership or association, give names of members.)..... February 20, 1985; Washoe County, Nevada

1. The source of the proposed appropriation is..... Shallow ground water  
Name of stream, lake, spring, underground or other source
2. The amount of water applied for is..... 0.0558.....second-feet  
One second-foot equals 448.83 gals. per min.  
(a) If stored in reservoir give number of acre-feet.....
3. The water to be used for..... Environmental clean-up  
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.
4. If use is for:  
(a) Irrigation, state number of acres to be irrigated.....  
(b) Stockwater, state number and kinds of animals to be watered.....  
(c) Other use (describe fully under No. 12. "Remarks").....  
(d) Power:  
(1) Horsepower developed.....  
(2) Point of return of water to stream.....
5. The water is to be diverted from its source at the following point..... See Attachment A  
Describe as being within a 40-acre subdivision of public  
survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated.
6. Place of use..... Within the NE1/4 of the SE1/4 of Section 34, T20N, R20E  
Describe by legal subdivision. If on unsurveyed land, it should be so stated.
7. Use will begin about..... January 1.....and end about..... December 31....., of each year.  
Month and Day Month and Day
8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and  
specifications of your diversion or storage works.)..... Pump from a drilled ground water recovery  
State manner in which water is to be diverted, i.e. diversion structure, ditches and  
well  
flumes, drilled well with pump and motor, etc.

9. Estimated cost of works.....\$200,000
10. Estimated time required to construct works.....Shallow ground water recovery wells (4) are  
If well completed, describe works.  
 completed. One shallow ground water recovery well and remainder of works will  
 require 1 month to complete.
11. Estimated time required to complete the application of water to beneficial use.....Two years. This will be  
based upon monitoring results of ground water.
12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual  
 consumptive use:  
 Shallow ground water is to be pumped from 5 shallow ground water recovery  
 wells; passed through activated carbon filtration for removal of petroleum  
 hydrocarbons, and discharged to the storm water system. The estimated volume  
 of water that will be treated is 1,756,800 cubic feet/year

By.....s/ Joseph T. Lipka : JOSEPH T. LIPKA  
 AS AN AGENT FOR PDQ FOOD STORES INC.  
 1755 East Plumb Lane, Ste. 241  
 Reno, NV 89502

Compared.....ab/se.....pm/se

Protested.....

APPROVAL.....OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to existing rights on the source. It is understood that the amount of water herein granted is only a temporary allowance for pollution control as mandated by orders issued by the Nevada Division of Environmental Protection and subsequent correspondence with said agency. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion. It is also understood that this right must allow for a reasonable lowering of the static water level of permittee's well due to other ground water development in the area. The well shall be equipped with a 2-inch opening for measuring depth to water. The State retains the right to regulate the use of water granted herein at any and all times.

\* The right will cease to exist upon termination of clean up activity as determined by the Nevada Division of Environmental Protection.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

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The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed.....0.0558.....cubic feet per second, but not to exceed 13.16 million  
 gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before.....

Proof of completion of work shall be filed before.....

Application of water to beneficial use shall be filed on or before.....

Proof of the application of water to beneficial use shall be filed on or before.....

Map in support of proof of beneficial use shall be filed on or before.....

Completion of work filed.....

Proof of beneficial use filed.....

Cultural map filed.....

Certificate No. .... Issued.....

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.  
 State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this 5th day of May,

A.D. 93

*Michael Turnipseed P.E.*  
 State Engineer

## ATTACHMENT "A"

- WELL M - 1 : NE $\frac{1}{4}$ SE $\frac{1}{4}$  Section 34, T.20N., R.20E., M.D.B.&M. or at a point from which the N $\frac{1}{4}$  corner of said Section 34 bears N.27°26'03"W. a distance of 3115.00 feet.
- WELL M - 2 : NE $\frac{1}{4}$ SE $\frac{1}{4}$  Section 34, T.20N., R.20E., M.D.B.&M. or at a point from which the N $\frac{1}{4}$  corner of said Section 34 bears N.28°02'45"W. a distance of 3082.73 feet.
- WELL M - 3 : NE $\frac{1}{4}$ SE $\frac{1}{4}$  Section 34, T.20N., R.20E., M.D.B.&M. or at a point from which the N $\frac{1}{4}$  corner of said Section 34 bears N.28°23'10"W. a distance of 3150.83 feet.
- WELL M - 4 : NE $\frac{1}{4}$ SE $\frac{1}{4}$  Section 34, T.20N., R.20E., M.D.B.&M. or at a point from which the N $\frac{1}{4}$  corner of said Section 34 bears N.27°39'48"W. a distance of 3201.24 feet.
- WELL M - 5 : NE $\frac{1}{4}$ SE $\frac{1}{4}$  Section 34, T.20N., R.20E., M.D.B.&M. or at a point from which the N $\frac{1}{4}$  corner of said Section 34 bears N.26°54'32"W. a distance of 3175.13 feet.
- WELL M - 6 : NE $\frac{1}{4}$ SE $\frac{1}{4}$  Section 34, T.20N., R.20E., M.D.B.&M. or at a point from which the N $\frac{1}{4}$  corner of said Section 34 bears N.26°18'52"W. a distance of 3208.50 feet.
- WELL M - 7 : NE $\frac{1}{4}$ SE $\frac{1}{4}$  Section 34, T.20N., R.20E., M.D.B.&M. or at a point from which the N $\frac{1}{4}$  corner of said Section 34 bears N.25°55'16"W. a distance of 3168.41 feet.

(PERMIT TERMS CONTINUED)

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

This permit is issued pursuant to the provisions of NRS 533.4375. Well drillers reports for any well(s) drilled under this permit shall be filed within 30 days from the completion of the well.

Within 30 days after the completion of the project, the permittee shall notify the State Engineer of such completion and all wells shall be plugged and abandoned in accordance with Chapter 534 of the Nevada Administrative Code.